

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – SEPTEMBER 26, 2002**

MEMBERS PRESENT: Ed Bell (Designee of Cara Metz, Executive Director of the Massachusetts Historic Commission)
Richard Murray (Director of Environmental Law Enforcement)
Brendan Foley (Marine Archaeologist)
John Hoagland (Dive Community Representative)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Joe Pelczarski (Designee of Thomas Skinner, Director of Coastal Zone Management)
Victor Mastone, Director (Staff for the Board)
David Trubey, Deputy Director (Staff for the Board)

MEMBERS ABSENT: Marcie Bilinski (Dive Community Representative)
Terry French (Designee of John Warner, State Archivist)
Kevin Mooney (Designee of Nancy Thornton, Director of DEM Division of Waterways)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:31 PM on 26 September 2002 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 30 May 2002

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 30 May 2002. There were no comments or corrections to the minutes.

John Hoagland moved to accept the minutes of the public meeting held on 30 May 2002. Joe Pelczarski seconded. 5 votes in favor, 1 abstention (Ed Bell). So voted.

2. DIRECTOR'S REPORT

A. Portland Rediscovery

Victor reported that he had participated with a research crew from the Stellwagen Bank National Marine Sanctuary in the relocating of the famed steamer *Portland*. The expedition was conducted from the *RV Connecticut* at the end of July and was based on coordinates supplied to NOAA from Arne Carr and John Fish who discovered the wreck in the late 1980s. The Stellwagen expedition deployed an ROV and side scan sonar to collect images of the wreck in order confirm the wreck's identity. Victor stated that although the entire superstructure of the vessel is missing, the wreck appears to be in remarkably good condition with the A-frame, walking beam and twin smoke stacks still standing. He noted a tremendous amount of preservation including an nearly intact rudder that appears to be hard to port possibly due to some type of impact or that the vessel was attempting to turn at the time of its loss. He theorized that the vessel likely foundered and eventually flooded forcing it to the bottom. He noted on the side scan image that the wreckage is sitting flat on the bottom, the bow appears slightly bent, the paddle wheels is in place, and that the smoke stacks are vertical similar to the wreck of the steamer *Larchmont* in Rhode Island. Victor state that if there were any accommodations below decks, they were likely those of the crew. New evidence suggests that the crew was largely comprised of African American sailors. He added that there is also a tremendous amount of deck and hull planking in tact. The wreck site is home to some very large cod and as a result, is littered with gill nets. Victor noted that at one point in imaging of the wreck, the ROV became entangled in one of these nets requiring a considerable amount of time to extract. Due to the popularity of this shipwreck, NOAA has asked that information concerning its location be kept to a minimum in order to protect the site from unauthorized visits.

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Concerning the Board's involvement in the project, Victor stated that there has been some discussion of creating an historic district around this site and others that have been discovered on the bank. Though the site is in federal waters, a district could be extended into state waters. He noted that the site is certainly National Register eligible and that NOAA will be working on a nomination. Ed Bell asked if NOAA would be making the nomination directly. Victor replied that it is his understanding that the nomination would be put together by NOAA, but that it would likely be reviewed by the state. Richard Murray asked how much communication there had been between the Board and NOAA regarding the search for the wreck. Victor replied that there had been some discussion over the past several months regarding survey work in addition to his being invited to take part in the expedition in July.

Victor stated that there are several other wrecks of interest in the sanctuary and that NOAA is planning to investigate some of these in the near future. Ed Bell asked Victor why NOAA seems to have a new interest in identifying and preserving cultural resources. Victor responded that the agency would like to establish a submerged cultural resources department similar to that of the National Park Service. He stated that at a focus group meeting sponsored by NOAA's Office of Ocean Exploration, which he attended last March, archaeology was identified as a top priority in getting people interested in ocean and its resources. He added that the agency's attention to underwater archaeological resources is encouraging and he hopes that it continues.

B. SUAMM II

Victor reported that he attended the second annual State Underwater Archaeological Managers Meeting in September. He described the organization as an informal group of six or seven members representing those states that have a full time staff person devoted to the management of submerged cultural resources. The main purpose of this year's meeting was to assist the state of Georgia with the development of its new underwater archaeological program. States represented included Texas, Florida, South Carolina, North Carolina, Maryland and Massachusetts. The meeting was very beneficial not only for the Georgia program, but as an opportunity for all the managers to discuss current issues and ideas. Victor stated that he spent a considerable amount of time as technical advisor to the South Carolina program offering editorial comments on its recent reports for the Navy Department. Victor noted that the cost of his travel was covered through the generosity of South Carolina and Georgia. The next meeting is expected to be held in Georgia.

C. Environmental Bond Bill

Victor reported that the Environmental Bond Bill has been signed into law and that money for the Board would soon be available. He opted to discuss this in more detail under **NEW BUSINESS**.

3. BOARD MEMBER REPORTS

Ed Bell reminded the Board that the week of October 5-15 is Archaeology Week in Massachusetts and the calendar of events is available on the Historical Commission's website. Victor stated that plans for the Board's Archaeology Week exhibit in Scituate are nearly complete and that he would discuss the event in more detail under **SUBCOMMITTEE REPORTS: OUTREACH**.

Joseph Pelczarski noted that there was a good article in the *Gulf of Maine Times* regarding archaeology in the Gulf of Maine region. Victor stated that he too had read the article and found it to be well written.

4. SUBCOMMITTEE REPORTS: OUTREACH

Victor reported that the Board, in conjunction with the Scituate Historical Society, would be hosting an event on October 5th at the Scituate Maritime and Irish Mossing Museum as part of this year's Archaeology Week celebration. The event will feature a display of some of the technology used to locate shipwrecks and artifacts from the *Forrest Queen* site as well as the steamer *Portland*. Victor noted that the Stellwagen Bank National Marine Sanctuary staff had loaned the Board some of media materials concerning the recent rediscovery of the *Portland* site. David Trubey added that the venue for the exhibit was selected several months ago and that it was coincidental that the museum has a permanent display of *Portland* artifacts. Following the relocation of the ship, the decision was made with the Historical Society to prepare a special exhibit. David noted that among the items comprising the exhibit would be a side scan sonar tow fish courtesy of John Fish of American Underwater Search and Survey and photographs of autonomous underwater vehicles courtesy of the Massachusetts Institute of Technology.

Victor also reported that he and David Trubey would be attending the meeting of the Northeast Chapter of the Massachusetts Archaeological Society on October 15th at the Peabody Museum in Andover. He stated that this would be his first

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presentation for this organization and that he is very excited about the opportunity. He added that the meeting would be a good opportunity for David to see the presentation, as he will be doing some of the outreach in the future.

5. OLD BUSINESS

A. Neil Good

Victor reported that, as the Reconnaissance Permit held Neil Good will expire on 26 October 2002, it is necessary for the Board to extend the permit until its next public meeting on 5 December 2002. Victor explained that he could normally extend the permit under the authority granted the director, but as there is a quorum today, he would rather have the Board formally go through motions of extension. He added that the Board had some communication with Mr. Good over the past few months. David Trubey stated that he had spoken with Mr. Good yesterday and that Mr. Good was very excited about some recent developments concerning his project including the potential for some funding from the Falmouth Historical Commission for survey work and some new contacts he had made. David added that Mr. Good is planning to make a complete presentation to the Board at the next meeting. Ed Bell asked David if Mr. Good is up to date on the requirements of his permit, particularly in providing the Board with the necessary paperwork. David replied that he had sent out the renewal forms and informed Mr. Good that the Board expected more detail in his Annual Report than it received last year. He noted that Mr. Good understood this and stated that he has already started working on this year's report. Joe Pelczarski asked if Mr. Good had completed the remote sensing of the bay. David replied that Mr. Good has not yet completed this task, but has secured the support of the Historical Commission and has made some significant contacts among the surveying community that will be helpful.

Ed Bell moved to extend the Reconnaissance Permit (00-002) held by Neil Good for his Waquoit Bay site until 5 December 2002. Richard Murray seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. Bond Fund Spending Plan

Victor presented Board members with a draft-spending plan for the recently approved Environmental Bond Bill's \$1 million line item (2000-2020) for the promotion and protection of underwater archaeological resources. He noted that in discussing the amount of the appropriation with colleagues from other states, the consensus was that this a workable amount to get a strong program off the ground. He reminded the Board that this is only a draft plan and as such, it is open to discussion. He explained that the spending profile for this line item is restricted by 1) an Executive Office of Environmental Affairs' (EOEA) imposed spending cap of \$200,000 annually and 2) the 2 earmarks in the line item valued at \$100,000 which reduce the appropriation to \$900,000. Victor noted that the draft-spending plan is for \$910,000 and does not include the \$90,000 earmark for the Town of Natick.

Victor stated that for the purposes of spending plan needs, he divided the Board's projected spending into five major categories: 03 (contract employee) Staff; Equipment; Projects (including Town of Oxford earmark); Security; and Appraisals (disposition of artifact requirements). He noted that there is flexibility between these categories. The category of 03 Staff (\$343,450) includes the salary/travel of David Trubey and salary/travel for a proposed ½ time researcher/field assistant/dive community liaison. Victor reminded the Board that there is currently a freeze on new hires (including contractor employees). He noted that for this year, David's salary would come from another appropriation, but that the Board would have to cover his costs beginning in fiscal year 2004. The category of Equipment (\$208,000) includes dive and field gear; vehicle, vessel and trailer; and remote sensing equipment. The category of Projects (\$252,550) represents contracted surveys and includes education/outreach materials, buoys/markers, minor conservation of artifacts, program assessments and possibly grants. Ed Bell asked Victor if it would be possible for the Board to utilize the conservation laboratory at the University of Massachusetts at Boston for any artifacts that the Board currently needs conserved or for future projects. Victor replied that entering into a formal agreement with the University for such service is certainly a possibility that should be explored. Concerning the category of Security (\$90,000), Victor reminded the Board that by statute, it is required to provide up to two months per year security to permittees if necessary. Given that the Massachusetts Environmental Police provides significant logistical support to the Board's operations, Victor stated that the Board would most likely enter into a formal agreement with and transfer funds to that agency to provide security. Victor suggested that the Board might want to consider changes to this statute that would release the Commonwealth from the obligation of providing site security and place this burden on the permittee. Ed Bell expressed his concern over the Board providing money/services to private profit oriented organizations for site security. Victor recognized this concern and stated that it is a

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question of the ability to respond in a timely manner to any site vandalism or unauthorized salvage that makes utilizing the Environmental Police a viable option for the time being. He noted that this agreement might exist only until the Board reviews and modifies the statute. Concerning the category of Appraisals (\$6,000), Victor stated that under the disposition process, the Board will need to set values on certain materials recovered under excavation permits.

For the current fiscal year (FY03), Victor proposed that Board's \$200,000 budget be spent as follows: 03 Staff - \$15,000 with David Trubey's salary coming from another account; Equipment - \$154,500; Projects - \$20,000; Security - \$10,000; and Appraisals - \$0. Victor stated that he feels it is vital to enhance the technical service component (equipment and outreach) of the Board first and then look to funding projects in future years. For fiscal year 2004, Victor proposed the following spending profile: 03 Staff - \$73,000; Equipment - \$35,500; Projects - 70,000; Security - \$20,000; and Appraisals \$1,500. For fiscal year 2005, Victor proposed the following spending profile: 03 Staff - \$81,500; Equipment - \$4,500; Projects - \$92,500; Security - \$20,000; and Appraisals - \$1,500.

Victor explained that under current spending restrictions (\$200,000/year), the Board's funding would last through fiscal year 2007 (though it would be less than \$200,000/year in fiscal years 2006 and 2007). If the spending ceiling were raised, he would propose to accelerate expenditures on projects (spend down) leaving only staff salaries/travel for the last year or two. Victor reminded the Board that the Commonwealth's Fiscal Affairs Division required the submission of a proposed spending plan in August that included Fiscal Years 2003 (current), 2004 and 2005. This deadline did not provide sufficient time to discuss the plan in any detail, but there will opportunities for the plan to be revised and updated.

Victor asked the Board members if they agreed with the priorities and goals that he has identified through this draft spending plan and what type of role the Board should take on; the more traditional regulatory role or a higher profile role. Lenny Loparto asked Victor if it would be possible to take on both roles at the same time. Victor replied that with the \$200,000 budget constraint, the Board may have to identify which projects will yield the highest return to the public in terms of educational value, recreational value, etc. John Hoagland replied that these decisions would likely require a higher level of strategy and planning. Brendan Foley stated that there is a relatively large amount of money set aside in the draft plan for the procurement of equipment and asked who would be operating this equipment. Victor replied that the money allocated for equipment procurement includes training by the manufacturers. He added that it would be in the Board's best interest to acquire the necessary training to conduct its own work rather than farm out projects to private contractors, which would be more costly in the long run. Ed Bell asked Victor if he had factored in the cost of equipment maintenance into this spending plan. Victor responded that he has taken maintenance into consideration and that there may be some other funding sources available to supplement that portion of the budget. Dick Murray stated that his agency might be able to assist in some aspects of equipment maintenance particularly for any vessel the Board may acquire. Victor noted that such a cooperative arrangement could benefit the Environmental Police as well in that the agency would likely have use of the vessel.

Lenny Loparto asked if the SUAMM (State Underwater Archaeological Managers Meeting) is funded by the federal government. Victor replied that there is no federal involvement in the organization and noted that this fact allows it to remain focused on more local issues. Noting examples of large-scale projects with which he has been involved, including the surveying of Civil War forts, Lenny stated that it might be possible for the Board staff to obtain technical training from the federal government, particularly for use in projects that are considered more regional in their scope. Victor replied that the National Park Service has offered training programs in the past, but that frequently its technical training schedule falls at the end of the state's fiscal year and that his other duties in the office have prevented him from attending. He added that such a cooperative training effort between state and federal agencies is under development in other state's programs, and noted that a colleague is working with the FBI and National Park Service to train state cultural resource managers in the field of law enforcement as it pertains to the protection of sites from looters, vandals and the illegal trade of artifacts. Conversely, this effort provides archaeologist with a means of conveying the significance of resource protection to law enforcement officials.

Lenny Loparto asked Victor if he has considered including a geographic information systems (GIS) component in the Board's budget. Victor replied that EOEa has a GIS department that has provided the Board with support for projects in the past and that it may be beneficial for the Board to ensure that its future equipment can be integrated with that of the Massachusetts GIS. He added that the new Bond Bill provides a lot of opportunities for the Board outside of its own funding. Victor noted that the Office of Coastal Zone Management (CZM) has also been very supportive of the Board's projects in the past. Joe Pelczarski stated that several of the newer CZM employees have GIS training and that more often than not, the office is unable to provide these people with adequate equipment. He explained that there is an educational value to the Board mapping sites and producing remote sensing images of certain wrecks for viewing on the Internet and that even if the Board just maps the Exempt List wrecks sites, that would be beneficial to students and researchers as well as the recreational diving community. Dick Murray stated that

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his agency has close connections to several federal agencies that have GIS programs that may be able to assist the Board in the future with the mapping of sites particularly if common research goals exist.

Lenny Loparto asked Victor from which area in the draft spending plan funding for publications would come. Victor replied that he envisions a large part of the Board's research publications being posted on the Board's web page. For example, the Board's publication for the Naval Historical Center will be available in a PDF format. He noted that the majority of his colleagues are utilizing the Internet in lieu of large-scale printings in order to save money and reach a larger audience. Concerning additional publication requirements, Victor expects to include the expense as part of the survey or project budget. Brendan Foley suggested that if it is not already doing so, the Board should consider purchasing laptop computers and good navigation software, as they would be beneficial for a variety of applications. Victor acknowledged this suggestion and stated that some of this equipment is already available within the agencies under the Executive Office of Environmental Affairs and that the Board should try to utilize it whenever possible rather than duplicate equipment purchases.

Ed Bell expressed his feeling that the Board is very well served by Victor's experience in working with budgets. Dick Murray concurred and expressed his excitement that the Board finally has a budget that will allow it to develop into a successful program. Victor stated that he would be looking to the Board for guidance in this process and reminded members that this is a draft plan and is open to suggestions.

Ed Bell moved to adjourn the meeting at 2:28 PM. Brendan Foley seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director